

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>OWE02 P-308</b> U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/552789</b>
INTERNATIONAL APPLICATION NO. <b>PCT/US2004/011769</b>	INTERNATIONAL FILING DATE <b>16 April 2004 (16.04.2004)</b>	PRIORITY DATE CLAIMED <b>22 April 2003</b>
TITLE OF INVENTION <b>DISPENSER/SPREADER ARTICLE FOR SPACKLING AND PASTE</b>		
APPLICANT(S) FOR DO/EO/US <b>Richard L. Owens</b>		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/552789</b>		INTERNATIONAL APPLICATION NO. PCT/US2004/011769		ATTORNEY'S DOCKET NUMBER OWE02 P-308	
20. Other items or information: <b>Authorization to Charge Deposit Account Return Postcard</b>					
The following fees have been submitted				CALCULATIONS      PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$ 200.00	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
All other situations..... \$200					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))				\$ 100.00	
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations..... \$500					
<b>TOTAL OF 21, 22 and 23 =</b>				600.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
20 - 100 =	-80 /50 =		x \$250	\$ 0.00	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	29 - 20 =	9	x \$ 50	\$ 450.00	
Independent claims	6 - 3 =	3	x \$200	\$ 600.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ 0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1650.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				825.00	
<b>SUBTOTAL =</b>				\$ 825.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ 0.00	
<b>TOTAL NATIONAL FEE =</b>				\$ 825.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 825.00	
				Amount to be refunded:	\$
				Amount to be charged	\$

10/552789

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

JC09 Rec'd PCT/PTO 11 OCT 2009

- a. ☒ A check in the amount of \$ 825.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16 2463. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Daniel L. Girdwood  
Price, Heneveld, Cooper, DeWitt & Litton, LLP  
695 Kenmoor SE  
PO Box 2567  
Grand Rapids, MI 59501

  
SIGNATURE

Daniel L. Girdwood  
NAME

34 827  
REGISTRATION NUMBER

Atty. Docket No. OWE02 P-308

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Richard L. Owens  
For : DISPENSER/SPREADER ARTICLE FOR  
SPACKLING AND PASTE

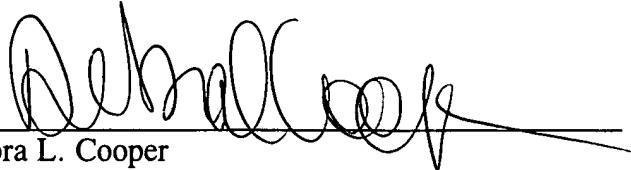
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450  
Dear Sir:

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

I hereby certify that the attached Transmittal Letter to the United States Designated/Elected Office concerning a Submission under 35 USC 371 (in duplicate); PCT Patent Application WO 2004/094240 A3, filed April 16, 2004 including 5 sheets of drawings; Authorization to Charge Deposit Account (in duplicate); original Declaration (2 pages); Preliminary Amendment (11 pages); Information Disclosure Statement and PTO 1449 Forms; Return Addressed Postcard; and check in the amount of \$825 (Filing Fee) are being deposited with the United States Postal Service as Express Mail, Label No. EV634231177US, addressed to:

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

On October 11, 2005.

  
Debra L. Cooper  
Price, Heneveld, Cooper,  
DeWitt and Litton LLP  
695 Kenmoor, S.E.  
Post Office Box 2567  
Grand Rapids, Michigan 49501  
(616) 949-9610

DLG/dlc

Atty. Docket No. OWE02 P-308  
Express Mail No. EV634231177US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Richard L. Owens  
For : DISPENSER/SPREADER ARTICLE FOR SPACKLING AND PASTE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application, or credit any overpayment to Deposit Account No. 16-2463.

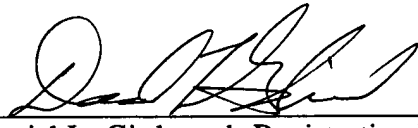
- 1) Any filing fees required under 35 USC §41(a)(1), (a)(3) and (d)(1) for which full payment has not been tendered.
- 2) Any patent application processing fees under 35 USC §41(a)(8) for which full payment has not been tendered.
- 3) Any assignment recording fee under 35 USC §41 (d)(2)(A) for which payment has not been tendered.

Pursuant to 37 C.F.R. §1.136(a)(3), the Commissioner is hereby authorized to treat any concurrent or future reply for this application that requires an extension of time as incorporating a request therefor. Any request or petition for an extension of time should be treated as requesting the appropriate length of time notwithstanding an inadvertent reference in the petition to a shorter period of time. A duplicate of this sheet is enclosed.

Respectfully submitted,

Oct 11, '05  
Date

DLG/dlc

  
\_\_\_\_\_  
Daniel L. Girdwood, Registration No. 34 827  
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695 Kenmoor, S.E./Post Office Box 2567  
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